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Attorneys for Defendant LOYA INSURANCE
COMPANY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MARCO MONTANO,

Plaintiff,

vs.

LOYA INSURANCE COMPANY, FRED
LOYA INSURANCE COMPANY, and
JOHN DOES I through X, inclusive,

Defendants.

CASE NO.: 2:15-cv-01676 - LDG-VCF

STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE OF

PLAINTIFF'S EXTRA CONTRACTUAL CLAIMS

AND FOR REMAND OF CASE TO STATE COURT

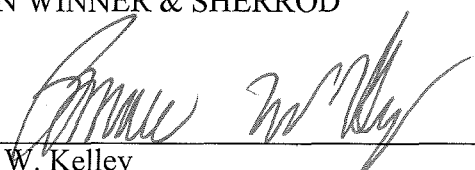
Victor Lee Miller Esq., of the law offices of VICTOR LEE MILLER, attorney for the Plaintiff MARCO MONTANO, and Bruce William Kelley, Esq., of the law offices of ATKIN WINNER & SHERROD, attorney for Defendant LOYA INSURANCE COMPANY have agreed as follows:

1. Plaintiff will voluntarily dismiss without prejudice all of his extra-contractual claims as stated in the Second Cause of Action of Plaintiff's Complaint; and
2. Based upon Plaintiff's withdrawal of the extra-contractual claims as well as Plaintiff's representation that he is not now seeking nor will he ever seek damages in excess of \$75,000, the parties hereby agree that this case should be remanded to the State Court.

1 IT IS HEREBY STIPULATED by and between the parties that that Plaintiff's
2 extra-contractual claims as stated in the Second Cause of Action of Plaintiff's Complaint be
3 dismissed without prejudice and that the case be remanded to the State Court.

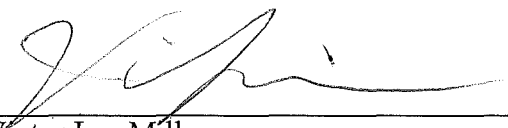
4 Dated: October 14, 2015

ATKIN WINNER & SHERROD

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6 
Bruce W. Kelley
Nevada Bar No. 7331
1117 South Rancho Drive
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Attorneys for Defendant LOYA INSURANCE
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10 DATED: October 9th, 2015

LAW OFFICES OF VICTOR LEE MILLER

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12 
Victor Lee Miller
Nevada Bar No. 2411
806 Buchanan Boulevard, Suite 115-338
Boulder City, NV 89005
Attorneys for Plaintiff MARCO MONTANO

16 **ORDER**

17 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff's extra-
18 contractual claims as stated in the Second Cause of Action of Plaintiff's Complaint be dismissed
19 without prejudice and that the case be remanded to the State Court with each party to bear their
20 own costs and attorneys' fees.

21 DATED this 16 day of October 2015

22
23 
24 DISTRICT JUDGE

25 LLOYD D. GEORGE
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ATKIN WINNER & SHERROD
A NEVADA LAW FIRM